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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,407	10/31/2003	Kuo-Juei Peng	252011-1760	2106

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EXAMINER

FISHER, MICHAEL J

ART UNIT	PAPER NUMBER
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3629

MAIL DATE	DELIVERY MODE
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10/09/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/699,407

Applicant(s)

PENG ET AL.

Examiner

Michael J. Fisher

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 8,23 and 38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The use of abbreviations must be preceded by describing the abbreviations.

Note: For examination purposes, it will be assumed that HCI is "Human Computer Interaction" and treated as such.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-6,9-12,16-21,24-27,31-36, 39-42 and 46-55 are rejected under 35 U.S.C. 102(e) as being anticipated by US PAT 7,237,266 to Aaron.

As to claims 1,16,31,46, Aaron discloses a computerized reliability assessment system (title) with an interface to receive input items (software in the computer), an assessment engine (206), and generates a result and displays this on the interface (the software running the computer, computer, figs 6A and 6B).

As to claim 53, Aaron discloses a computerized reliability assessment system (title) with a first interface to receive input items (software in the computer), a second interface is assessment engine (206), and generates a result and displays this on the interface (the software running the computer, computer, figs 6A and 6B).

As to claim 54, there is a third interface to receive the information (208).

As to claim 55, there is a fourth interface item (214).

As to claims 2,17,32, the interface is a web-based interface (214, 104, as best seen in fig 2).

As to claims 3,18,33, there is a database for storing the data (208).

As to claims 4,19,34, there is an email server (col 9, lines 56-59).

As to claims 5,20,35, the system receives selections of a process for a product (fig 5) and a corresponding output item (the assessment).

As to claims 6,21,36,47, the result is generated (inherently as the reliability is assessed).

As to claims 48, the system receives a selection of an assessment (508, fig 5) and an output item (the factors in the assessment).

As to claims 9,24,39,50, the system receives a selection of an assessment (508, fig 5).

As to claims 10,25,40,49,51, the result is generated (inherently as the reliability is assessed).

As to claims 11,26,41,52, determining early failure is one of the purposes of the system (col 1, lines 23-29).

As to claims 12,27,,42 the input inherently comprises technology (the system is for electronic products) and specifications (inherent in that the specifications are needed to study the product).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 7,8,13-15,22,23,28-30, 37,38 and 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aaron.

As to claims 7,13,22,28,37,43, Aaron does not specifically teach the system as being for a semiconductor. Aaron does, however, teach using it for electronic products, which group includes semiconductor products. Therefore, it would have been obvious to one of ordinary skill in the art to use the system for a semiconductor product as it is shown to be useful for electronic products.

As to claims 8,23 and 38, as best understood, there is human computer interaction (abstract, line 8).

As to claims 14,29,44, the "technology" is inherently the geometry of the product, as the geometry affects the working of the product.

As to claims 15, 30,45, Aaron further teaches assessing the lifetime of the product (failure being the end of the lifetime) but does not specifically mention voltage. However, as the product is an electronic product, it would have been obvious to one of ordinary skill in the art to use the voltage of the product as electronic products use electricity and the voltage can affect the lifetime.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Fisher whose telephone number is 571-272-6804. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3629

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Michael Fisher



GAU 3629

MF 
10/1/07